

DANIEL G. BOGDEN  
United States Attorney  
CRISTINA D. SILVA  
Assistant United States Attorney  
Nevada Bar No. 13760  
501 Las Vegas Blvd. South, Suite 1100  
Las Vegas, Nevada 89101  
PHONE: (702) 388-6336  
FAX: (702) 388-5087  
cristina.silva@usdoj.gov

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**  
**-oOo-**

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
vs.  
  
REUBEN DELGADILLO,  
  
Defendant.

2:16-mj-00575-NJK

Stipulation to Continue the  
Preliminary Hearing (*First  
Request*)

IT IS HEREBY STIPULATED AND AGREED, by and between DANIEL G. BOGDEN, United States Attorney, and CRISTINA D. SILVA, Assistant United States Attorney, counsel for the United States of America, and JOSHUA TOMSHECK, Counsel for the Defendant, REUBEN DELGADILLO, that the preliminary hearing date in the above-captioned matter, currently scheduled for September 6, 2016, at 4:00 pm, be vacated and continued for forty-five (45) days, to a date and time to be set by this Honorable Court.

This stipulation is entered into for the following reasons:

1. The parties have entered into plea negotiations. Additional time is needed for the defendant to consider the plea and resolving this case pre-indictment.

2. The parties agree to the continuance.

3. The defendant is not incarcerated and does not object to the continuance.

4. Additionally, denial of this request for continuance could result in a miscarriage of justice.

5. The additional time requested herein is not sought for purposes of delay, but to allow for the change of plea hearing to take place and the case to be resolved.

6. The additional time requested by this stipulation, is allowed, with the defendant's consent under the Federal Rules of Procedure 5.1(d).

7. This is the first request for a continuation of the preliminary hearing.

DATED this 1st day of September, 2016.

Respectfully submitted,  
DANIEL G. BOGDEN  
United States Attorney

//s//  
JOSHUA TOMSHECK, ESQ.  
Counsel for Defendant -  
DELGADILLO

//s//  
CRISTINA D. SILVA  
Assistant United States Attorney

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

**-oOo-**

UNITED STATES OF AMERICA,

2:16-mj-00575-NJK

Plaintiff,

**ORDER**

vs.

REUBEN DELGADILLO,

Defendant.

**ORDER**

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The parties have entered into plea negotiations. Additional time is needed for the defendant to consider the plea and resolving this case pre-indictment.
2. The parties agree to the continuance.
3. The defendant is not incarcerated and does not object to the continuance.
4. Additionally, denial of this request for continuance could result in a miscarriage of justice.
5. The additional time requested herein is not sought for purposes of delay, but to allow for the change of plea hearing to take place and the case to be resolved.
6. The additional time requested by this stipulation, is allowed, with the defendant's consent under the Federal Rules of Procedure 5.1(d).

1           7.       This is the first request for a continuance of the preliminary hearing.

2           For all of the above-stated reasons, the ends of justice would best be served by a  
3 continuance of the preliminary hearing date.

4                                   **CONCLUSIONS OF LAW**

5           The ends of justice served by granting said continuance outweigh the best  
6 interest of the public and the defendant, since the failure to grant said continuance  
7 would be likely to result in a miscarriage of justice, would deny the parties herein to  
8 potentially resolve the case prior to indictment, and further would deny the parties  
9 sufficient time and the opportunity within which to be able to effectively and  
10 thoroughly prepare for a preliminary hearing if one were to take place, taking into  
11 account the exercise of due diligence.

12           The continuance sought herein is allowed, with the defendant's consent,  
13 pursuant to Federal Rules of Procedure 5.1(d).

14                                   **ORDER**

15           IT IS THEREFORE ORDERED that the preliminary hearing currently  
16 scheduled for September 6, 2016, at the hour of 4:00 pm, be vacated and continued to  
17 October 25, 2016, at 4:00 p.m., in Courtroom 3C.

18           DATED 6 day of September, 2016.

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23                                   THE HONORABLE NANCY J. KOPPE  
24                                   UNITED STATES MAGISTRATE JUDGE